

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on August 18, 2015.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Public Works Director Dean Barber, Fire Chief Tony Nichols; Police Chief Jeff Branson, Arts & Tourism Director Angela Burgett and City Clerk Susan O'Brien.

**CONSENT AGENDA**

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the Regular meeting August 4, 2015; bills and payroll for the first half of August, 2015.

**Bills and Payroll for the first half of August, 2015**

	<b><u>General Fund</u></b>		
Payroll		\$	284,633.68
Bills		\$	<u>181,114.27</u>
	Total	\$	465,747.95
	<b><u>Hotel Tax Administration</u></b>		
Payroll		\$	2,663.55
Bills		\$	<u>30,341.62</u>
	Total	\$	33,005.17
	<b><u>Arts Council</u></b>		
Bills		\$	<u>328.00</u>
	Total	\$	328.00
	<b><u>Festival Mgmt Fund</u></b>		
Bills		\$	<u>4,660.67</u>
	Total	\$	4,660.67
	<b><u>Mobile Equipment Fund</u></b>		
Bills		\$	<u>64,452.33</u>
	Total	\$	64,452.33
	<b><u>Insurance &amp; Tort Judgment</u></b>		
Bills		\$	<u>5,451.00</u>
	Total	\$	5,451.00
	<b><u>I - 57 East TIF Dist</u></b>		
Bills		\$	<u>458.22</u>
	Total	\$	458.22
	<b><u>Broadway East Bus. Dist</u></b>		
Bills		\$	<u>2,796.82</u>
	Total	\$	2,796.82

<b><u>Capital Project Fund</u></b>			
Bills		\$	20,363.04
	Total	\$	20,363.04
<b><u>Water Fund</u></b>			
Payroll		\$	32,017.89
Bills		\$	45,827.89
	Total	\$	77,845.78
<b><u>Sewer Fund</u></b>			
Payroll		\$	39,352.18
Bills		\$	32,585.45
	Total	\$	71,937.63
<b><u>Revolving Loan Fund</u></b>			
Bills		\$	90.00
	Total	\$	90.00
<b><u>Heath Insurance Fund</u></b>			
Bills		\$	97,644.27
	Total	\$	97,644.27
<b><u>Motor Fuel Tax Fund</u></b>			
Bills		\$	20,891.65
	Total	\$	20,891.65

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public comments. Mr. Rob Stroud, reporter for the Journal Gazette, stated the new mayor of Decatur was Mattoon native, Julie Moore-Wolfe. Council acknowledged the appointment and discussed Mrs. Moore-Wolfe’s relatives in Mattoon.

**NEW BUSINESS**

Mayor Gover seconded by Commissioner Graven moved to adopt Special Ordinance No. 2015-1603, approving a variance to the sign ordinance for property located at 224 Richmond Avenue East to allow for a sign to be erected on existing pylons. Petitioner – Behrends Restaurants, Inc. (Denny’s)

**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2015-1603**

**AN ORDINANCE APPROVING A VARIANCE TO THE SIGN ORDINANCE OF THE MUNICIPALITY ON REAL ESTATE LOCATED AT 224 RICHMOND AVENUE EAST**

**WHEREAS**, there has been filed a written Petition by David Behrends requesting a sign variance at the property located at 224 Richmond Avenue East (PIN 06-0-04408-000).

**WHEREAS**, said site is zoned C3 Commercial and is located farther than 5,000 feet from Interstate 57, which does not allow the construction of Interstate signage; and

**WHEREAS**, the property has utilized Interstate signage in the past and is well suited for Interstate signage; and

**WHEREAS**, the Planning Commission held a properly noticed public hearing on August 11, 2015 for the City of Mattoon, Coles County, Illinois, and has recommended that the requested sign variance be granted; and

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a sign variance to allow the construction of Interstate signage at 224 Richmond Avenue East.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** A variance is hereby granted from requirements of the sign code as authorized by Section §160.13 of Chapter 160 of the Code of Ordinances of the City of Mattoon for real estate described as 224 Richmond Avenue East to allow construction of Interstate signage.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

**Section 5.** The City Clerk shall make and record a duly certified copy of this ordinance with the Clerk and Recorder’s Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 18th day of August, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen,  
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 18th day of August, 2015.

/s/Timothy D. Gover  
Timothy D. Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/Susan J. O’Brien  
Susan J. O’Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality’s Records on August 18, 2015.

Mayor Gover opened the floor for comments/discussion. Administrator Gill noted there were no objections at the Planning Commission meeting with a constructional engineer stating the pylons would support the sign. Commissioner Owen inquired as to the number of signs which could be on the pylons. Administrator Gill stated the four square feet with two signs within the maximum square footage.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to adopt Special Ordinance No. 2015-1604, approving a special use for the property located at 1400 Hayes Avenue to allow construction of a communications tower. Petitioner – Central States Tower, L.L.C.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2015-1604**

**AN ORDINANCE GRANTING A SPECIAL USE AT 1400 HAYES AVENUE FOR CONSTRUCTION OF A COMMUNICATIONS TOWER**

**WHEREAS**, there has been filed a written Petition by Central States Tower requesting a special use to allow construction of a communications tower on the property located at 1400 Hayes Avenue (PIN 07-1-00432-000).

**WHEREAS**, said site is zoned I- Industrial, which requires a special use for communications towers; and,

**WHEREAS**, the property is well suited for a communications tower; and,

**WHEREAS**, the Planning Commission held a properly noticed public hearing on August 11, 2015 by the City of Mattoon, Coles County, Illinois, and has recommended that the requested special use be granted; and,

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve said special use at 1400 Hayes Avenue, Mattoon, Illinois.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a special use allowing the construction of a communications tower to be located at 1400 Hayes Avenue.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 18th day of August, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Commissioner Owen,  
Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 18th day of August, 2015.

/s/Timothy D. Gover  
Timothy D. Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on August 18, 2015.

Mayor Gover opened the floor for questions/comments/discussion/questions. Administrator Gill noted the property was zoned "I" Industrial which caused a special use of the property, fits on property, and had no objectors. Commissioner Hall inquired as to the location. Administrator Gill stated the tower would be on Howell Asphalt property. Mayor Gover called for further questions with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Owen moved to approve Council Decision Request 2015-1632, approving the re-appointments of Beth Heldebrandt, Jay Ferguson, Jenny Osborn, Rob Westcott and the appointment of Hans Warner to the Mattoon Arts Council for terms expiring on September 30, 2017.

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2015-1633, approving a \$7,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon YMCA for hosting three events: Last Chance Tri on October 4<sup>th</sup>, Ghouls in the Pool on October 24<sup>th</sup>, and Girls on the Run 5K on November 14, 2015 ; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for questions/comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to approve Council Decision Request 2015-1634, approving a \$5,700 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon High School for hosting the Boys Golf Invitational on September 11-12<sup>th</sup> and the Girls Holiday Basketball Tournament to be held December 28-30, 2015; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for questions/comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

#### DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted work on the development agreement with Director Barber and Upchurch for road construction; inspected the former Young's Radiator site finding further deterioration and graffiti with witnesses to be declared by September 1<sup>st</sup> (Electrical Inspector Matt Frederick, Building Inspector Luke Edwards, Bill Standerfer, and Dan Corrie, appraiser, inspected the site.) and depositions by October; and spoke with businesses such as Gowin's who had nothing at this time to disclose on potential purchasers of their business. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY had nothing to report. Mayor Gover opened the floor for questions with no response.

CITY CLERK had nothing new to report. Mayor Gover opened the floor for questions with no response.

FINANCE was attending a conference. Administrator Gill distributed the July Financial Statement and noted the difference as not receiving timely property taxes. Mayor Gover stated the Journal Gazette reported County Treasurer Edwards would try to send the collected taxes as soon as possible.

PUBLIC WORKS reviewed the development agreement of Lambo #3, described the construction of new road, and distributed a site plan layout, proposed development agreement, and aerial photo. Director Barber stated the roadway would be constructed with conforming plans and specifications and would be presented to the Council for dedication upon completion. Council inquired about the construction. Director Barber stated the roadway would have eight inches of concrete, had no concerns, would definitely support, and had no assigned name yet. Director Barber updated Council on the CSO Satellite Treatment Facility Project stating good bids with Curry Construction's bid of \$5.6 million. Commissioner Owen inquired as to the City's borrowing for the project. Director Barber stated the first phase borrowing would be less than anticipated and would be on the second meeting in September for Council consideration. Mayor Gover opened the floor for questions with no response.

FIRE noted collections for MDA as ongoing, upcoming sale of t-shirts for Relay for Life, construction of a "she shed" for the Sarah Bush Lincoln Foundation annual auction during the Festival of Trees event, high-angle training on the water tower, and return of Engine 21 at the end of the month. Mayor Gover opened the floor for questions with no response.

POLICE noted the speed sign from grant money should be in Friday to be used for high traffic areas and school zones; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM noted finishing up with the Bagelfest and 4<sup>th</sup> of July reports, working on programming for the Arts in 2016, and adding blogging and Instagram to outlets for Tourism notices. Mayor Gover opened the floor for questions with no response.

#### COMMENTS BY THE COUNCIL

Commissioner Graven announced and elaborated on the Relay for Life event this weekend in Peterson Park. Commissioner Hall inquired as to IDOT's project on Route 16 going east of Mattoon. Director Barber would let Council know after he contacted IDOT. Commissioners Cox and Owen had no further comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 6:57 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/Susan J. O'Brien  
City Clerk